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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,738	03/09/2004	Christopher J. Conway	12019/3	2519

7590 07/18/2005  
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EXAMINER

ALEMU, EPHREM

ART UNIT PAPER NUMBER

2821

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/796,738

Applicant(s)

CONWAY ET AL.

Examiner

Ephrem Alemu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 3-09-04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-27 is/are allowed.
- 6) ☒ Claim(s) 1-14, 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3-09-04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “the light control system comprises two independent circuits, and wherein each of the two independent circuits is coupled to alternating ones of the plurality of light sources” as claimed in claim 16 and the light control system comprises independent switches coupled to each of the plurality of light sources” as claimed in claim 17; must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Wanuch et al. (US 6,203,172).

Re claim 1, Wanuch discloses a mobile stage lighting system (10) configured to be positioned on a film stage so as to cast soft light upon the subjects and objects on the stage (Fig. 1), the system comprising:

a light frame (12) having a plurality of light sources (16) positioned within the frame (Fig. 1);

a light reflective backing (i.e., removable reflective panel 24) over a rear portion and side portions of the light frame (12) (Figs. 1, 4; Col. 3, lines 61-67);

a diffusion frame (i.e., colour filters not shown) detachably mounted to a front portion of the light frame (Col. 3, lines 61-67);

a mobile support (i.e., movable base 28) coupled the light frame and configured to permit the light frame to be moved about the stage (Fig. 1; Col. 4, lines 1-8); and

a light control system (i.e., dimmable ballast assembly) configured to regulate electrical power to the plurality of light sources, such that an illumination intensity of a portion of the plurality of light sources can be varied so as to produce soft light (Col. 1, lines 62-67).

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Re claims 4-6, Wanuch further discloses the light frame comprises a rectangular metal frame having a lateral dimension that is substantially greater than a vertical dimension, the mobile support (i.e., movable base 28) comprises a bail that includes upstanding support members adjacent to the side portions of the light frame and coupled thereto by pins laterally extending from the side portions; wherein the upstanding support members are coupled to the shafts, such that the light frame can be rotated on the bail (Fig. 1; Col. 4, lines 1-8).

4. Claims 1-3 and 7-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Richardson Co. (decalight submitted by applicant).

Re claim 1-3, 7, 10 and 14, Richardson Co. discloses a stage lighting system (i.e., decalight) comprising:

a frame having a plurality of light sources (i.e., globes) positioned within the frame; a mobile support positioned below the frame that enables the frame to be moved; a diffusion film (i.e., custom sized gel frame) disposed in front of the plurality of light sources (i.e., globes); a light reflective surface positioned on the frame behind the plurality of light sources; and a light control system configured to regulate electrical power (i.e., dimmable) to the plurality of light sources; such that an illumination intensity of individual ones of the plurality of light sources can be varied (see pages 1 and 2 including decalight illustration submitted by applicant).

Re claim 8, 9 and 11-13, Richardson Co. further discloses the frame has a first dimension (i.e., 7') and a second dimension (i.e., 4'), and wherein the first dimension is about twice the distance of the second dimension; the frame has a depth substantially less than the second dimension, the frame comprises a series of light bars arranged parallel to the second frame

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dimension and wherein the evenly spaced plurality of light sources comprises a plurality of globe lights (see pages 1 and 2 including decalight illustration submitted by applicant).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable Richardson Co. (decalight submitted by applicant) over in view of Hunt et al. (US 5,414,328).

Re claims 16 and 17, Richardson does not show the light control system comprises two independent circuits, and wherein each of the two independent circuits is coupled to alternating ones of the plurality of light sources and the light control system comprises independent switches coupled to each of the plurality of light sources.

Hunt discloses a stage lighting control console including switches for the purpose of controlling the intensity of plurality of stage light sources (Fig. 1; Col. 1, lines 38-53).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the light control system of Richardson Co. decalight as claimed in claims 16 or 17, for the purpose of controlling the intensity of the plurality of stage light sources as taught by Hunt's.

***Allowable Subject Matter***

7. Claims 8-27 are allowed.

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8. Claim 15 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fail to teach or suggest alone or in combination, the combination of the following limitations: "a rectangular frame having a series of light bars positioned therein; a diffusion layer on the rectangular frame in front of the plurality of globes; and at least one eggcrate louver on the diffusion layer" as claimed in claim 18.

#### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Glickman (US 3,643,079); Costa (US 5,012,396); and Dorrey (US 1,870,241); also teach similar inventive subject matter.

#### ***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ephrem Alemu whose telephone number is (571) 272-1818. The examiner can normally be reached on M-F Flex hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EA

6-27-05



**TUYET VO**  
**PRIMARY EXAMINER**